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Oceans and the law of the sea

Proposed programme budget for the biennium 2008-2009

Oceans and the law of the sea

Programme budget implications of draft resolution A/62/L.27

Twenty-eighth report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2008-2009

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly on the programme budget implications of draft resolution A/62/L.27 (A/C.5/62/16).

2. Under the terms of operative paragraphs 26, 45, 46, 47 and 49 of draft resolution A/62/L.27, the General Assembly would:

> "(a) Request the Secretary-General to convene a special Meeting of States Parties to the Convention on the Law of the Sea in New York on 30 January 2008 to fill a vacancy that occurred following the resignation of one of the members of the International Tribunal for the Law of the Sea and to convene the eighteenth Meeting of States Parties to the Convention in New York from 13 to 20 June 2008 and to provide the services required;
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> (b) Take note with concern of the information provided by the Division for Ocean Affairs and the Law of the Sea regarding the current level of staffing, as well as inadequate hardware and software available to it which are required to support the Commission on the Limits of the Continental Shelf in the fulfilment of its functions;
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> (c) Endorse in this regard the request by the Meeting of States Parties to the Convention to the Secretary-General to take timely measures, before the twenty-first session of the Commission, to strengthen the capacity of the Division, serving as the secretariat of the Commission, within overall existing resource levels, in order to ensure enhanced support and assistance to the

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Commission and its subcommissions, in their consideration of submissions, as required by paragraph 9 of annex III to the rules of procedure of the Commission;

(d) Urge the Secretary-General to continue to take all necessary actions to ensure that the Commission can fulfil the functions entrusted to it under the Convention;

(e) Approve the convening by the Secretary-General of the twenty-first and twenty-second sessions of the Commission in New York from 17 March to 18 April 2008 and from 11 August to 12 September 2008, respectively, on the understanding that the following periods will be used for the technical examination of submissions at the Geographic Information System (GIS) laboratories and other technical facilities of the Division: 17 to 28 March; 14 to 18 April; 11 to 15 August; and 2 to 12 September 2008."

3. The relationship of the requests to the programme of work for the biennium 2008-2009 is outlined in paragraphs 2 and 3 of the statement by the Secretary-General. The activities by which the draft resolution would be implemented are outlined in paragraphs 4 to 8 of the statement by the Secretary-General and the related estimated resource requirements are set out in paragraphs 9 to 11.

4. As indicated in paragraph 12 of the statement by the Secretary-General, no provision has been made in the proposed programme budget for the biennium 2008-2009 in relation to the activities that would be decided under paragraphs 26, 45, 46, 47 and 49 of draft resolution A/62/L.27. The Secretary-General also indicated that, at the current stage, it is not possible to identify activities in section 2, General Assembly and Economic and Social Council affairs and conference management, section 8, Legal affairs, and section 28 D, Office of Central Support Services, of the proposed programme budget for the biennium 2008-2009 that could be terminated, deferred, curtailed or modified during the biennium and that it would therefore be necessary that additional resources be provided through an additional appropriation. In paragraph 13, however, he indicates that efforts would be made to meet the additional requirements under section 2 and section 28 D within the provisions of the proposed programme budget for the biennium 2008-2009 under those sections.

5. Estimated requirements of $1,962,100 would therefore arise under section 8, Legal affairs, of the proposed programme budget for the biennium 2008-2009, for a one-time provision for the acquisition of specialized GIS software ($1,241,600), data-processing services ($302,600), related training ($192,000) and related support to data-processing infrastructure ($225,900).

6. Upon enquiry, the Advisory Committee was informed that the 1982 United Nations Convention on the Law of the Sea provides that where a coastal State intends to establish the outer limits of its continental shelf beyond 200 nautical miles, it shall submit particulars of such limits to the Commission on the Limits of the Continental Shelf along with supporting scientific and technical data within 10 years of the entry into force of the Convention for that State. Accordingly, several coastal States will make their submissions by 13 May 2009. So far nine submissions have been made and 30 more States have indicated that they intend to make their submissions by that date. The workload of the Commission will therefore increase significantly. The Committee was also informed that, as a result, the requirement of

the necessary hardware, software and personnel for the Division for Ocean Affairs and the Law of the Sea to service the work of the Commission, whose twenty-first session which is scheduled to be held from 17 March to 18 April 2008, is of the utmost urgency for the discharge of the Commission's functions.

7. The Advisory Committee was further informed that, through efforts undertaken within the Office of Legal Affairs, the Secretariat was in a position to cover some of the related needs, but that, in order to examine the scientific and technical data and information provided by the submitting States, a number of sophisticated software packages are required. The Committee was informed that the proposed programme budget for the Division for Ocean Affairs and the Law of the Sea for the biennium 2008-2009 does not include provision for the software and appropriate licensing and for data server and other related services, including the network services, to ensure business continuity of the Commission.

8. **The Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/62/L.27, additional requirements totalling $1,962,100 would be required under section 8, Legal affairs, of the proposed programme budget for the biennium 2008-2009. The Committee recommends approval of the additional requirements of $1,962,100 under section 8 for the biennium 2008-2009, as a charge against the contingency fund.**